

Application No. 10/036,508
Reply to Office Action of: August 13, 2003
Amendment Dated: October 27, 2003

THE INTERVIEW SUMMARY

Applicants wish to thank Examiner Sanders for her helpful and courteous discussion with Applicants' Representative on October 7, 2003. During this discussion it was noted that the present rejections may be overcome by including the structure of the emulsifier and/or by indicating that the films leave no residue when peeled.

Application No. 10/036,508
Reply to Office Action of: August 13, 2003
Amendment Dated: October 27, 2003

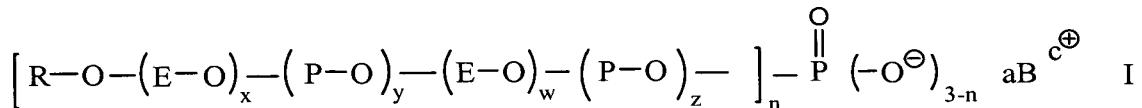
REMARKS

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 1** relates to a method of using an aqueous polymer dispersion as adhesive for a self-adherent peelable film, tape or label, comprising:

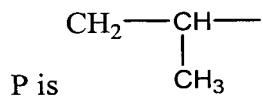
treating a film, tape or label with a polymer dispersion containing from 0.1 to 10 parts by weight of an emulsifier A) containing a phosphate group, based on 100 parts by weight of polymer, thereby obtaining said self-adherent peelable film, tape or label;

wherein **said emulsifier A) is represented by the formula**



wherein

E is CH_2-CH_2-



R is $\text{C}_1\text{-C}_{18}$ alkyl,

x,y,w,z, each denote an integer from 0 to 30,

x+w is at least 1,

y+z is at least 1,

n is 1 or 2,

B is a monovalent or divalent cation,

a,c, each denote 1 or 2, a*c being equal to 3-n.

Amended Claim 7 relates to a substrate provided with a peelable film, tape or label according to claim 6.

Winslow, and WO 99/46337 fail to disclose or suggest a method of using an aqueous polymer dispersion as claimed as adhesive for a self-adherent peelable film, tape or label.

WO 99/46337 is discussed in view of the U.S. equivalent 6,348,528. U.S. 6,348,528 discloses an aqueous polymer dispersion comprising an emulsifier A) having a phosphate group. The emulsifier has ethylene oxide groups and propylene oxide groups (U.S. 6,348,528, abstract, col. 2, lines 9-38). The dispersions are used as binders in paints and anticorrosion coatings (U.S. 6,348,528, col. 1, lines 14-16). There is no disclosure or suggestion of a method of using the aqueous polymer dispersion as adhesive for a self-adherent peelable film, tape or label.

Winslow (US 5,116,676) discloses fast-drying pressure sensitive adhesives which comprise a polymer of a terminally unsaturated vinyl monomer and an emulsifier, such as polyoxyethylene phosphates. Specific phosphate emulsifiers are shown at col. 6, lines 40-col. 7, line 5. None of the disclosed emulsifiers have a combination of a ethylene oxide and propylene oxide groups as required by formula I of Claim 1.

Thus, even a combination of WO 99/46337 and Winslow (US 5,116,676) would not result in the claimed method.

In addition, none of the references alone or in combination discloses or suggests a peelable, self-adherent film, tape or label obtained by a method as defined in claim 1, or a substrate provided with such peelable film, tape or label. Thus, Claim 7 is not anticipated by or obvious over WO 99/46337 and Winslow alone or in combination.

Therefore, rejection of Claim 7 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Winslow (US 5,116,676), and the

Application No. 10/036,508
Reply to Office Action of: August 13, 2003
Amendment Dated: October 27, 2003

rejection of Claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over WO 99/46337 in view of Winslow (US 5,116,676) are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon
Attorney of Record
Registration No.: 24,618

Kirsten A. Grüneberg, Ph.D.
Registration No.: 47,297

PHONE NO.: (703) 413-3000
FAX NO.: (703) 413-2220
NFO:KAG: